

Summons in a Civil Action (Rev 11/97)

FILED
United States District Court PM 12:12

SOUTHERN DISTRICT OF CALIFORNIA
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

LYMS, INC.; WENDY YOUNGREN
AND CATHY MEANS AS SUCCESSOR
TRUSTEES OF THE LYMOS 401(k)
SAVINGS PLAN, vs

BRUCE MILLIMAKI AND MICHAEL
EFFERT, FORMER TRUSTEES OF
THE LYMOS 401(k) SAVINGS
PLAN; GARY BERMAN,
INDIVIDUALLY,
Defendants

BY J. Paris DEPUTY
SUMMONS IN A CIVIL ACTION
Case No. 08-cv-1210-JLS-NLS

**FIRST AMENDED COMPLAINT FOR BREACHES
OF FIDUCIARY DUTY UNDER THE EMPLOYEE
RETIREMENT INCOME SECURITY ACT
("ERISA"), 29 U.S.C. Section 1001
et seq.; NEGLIGENCE AND BREACH OF
CONTRACT UNDER 29 USC Section 1367(a)**

TO: (Name and Address of Defendant)

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and
serve upon PLAINTIFF'S ATTORNEY

PETA LEWIS HALLISEY
BRANTON & WILSON, APC
701 B STREET, SUITE 1255
SAN DIEGO, CA 92101

An answer to the complaint which is herewith served upon you, within 20 days after
service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment
by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.

CLERK
J. PARIS
SEAL

By

, Deputy Clerk

JUL 23 2008

DATE

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